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ILLINOIS COMMERCE COMMISSION
STATE OF ILLINOIS
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COMMERCE COMMISSION

MAR 16 1 14 PM '01

Cook County State's Attorney)

CHIEF CLERK'S OFFICE

Motion for Stay of Commencement of)
Customer Education and Order)

ICC Docket No. 01-0066

Requiring Neustar to Demonstrate that)
the 847 NPA is, in fact, Exhausted)

Objection
to

the Response of Southwestern Bell Mobile Systems, Inc. D/B/A Cingular Wireless,
to the Cook County State's Attorney's Motion for Issuance of Subpoena Duces Tecum

The Cook County State's Attorney's Office ("SAO") herein objects to the Response of Southwestern Bell Mobile Systems, Inc. D/B/A Cingular Wireless to the Cook County State's Attorney's Motion for Issuance of Subpoena Duces Tecum as untimely served upon the SAO and states as follows.

1. All parties agreed and were required by the hearing examiners in this docket to serve Responses to the SAO's Motion for Issuance of Subpoenas Duces Tecum to active parties via e-mail by 4:30 p.m. on March 7, 2001.
2. Southwestern Bell Mobile Systems, Inc. D/B/A Cingular Wireless ("Cingular") failed to serve its Response to the SAO via e-mail on the due date.
3. Cingular sent a hard copy of the Response via U.S. Mail, post marked March 7, 2001, but provided no service to the SAO by the date due.
4. The SAO did not receive the hard copy until March 12, 2001, the date the SAO's Reply to Responses were due.
5. Cingular did not address the hard copy to the appropriate SAO attorney assigned to the case in accordance with the Service List in this docket.
6. As a result, the SAO was unable to address arguments contained in Cingular's Response in the SAO's reply to Responses to its Motion.
7. The SAO does not allege that Cingular intentionally failed to e-mail its Response to the SAO on the due date.
8. However inadvertent, the SAO objects to consideration of Cingular's Response by

the Commission in ruling on the SAO's Motion.

9. The SAO is cognizant that inadvertent errors commonly occur especially with pleadings subject to quick turnaround deadlines as is the case in this proceeding.
10. However, the SAO does not wish to set a precedent that proper, timely service is not of material importance in proceedings before the Commission. Therefore we must object.

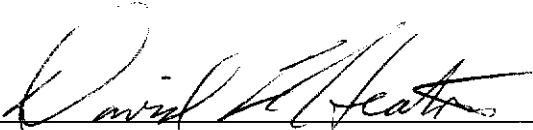
WHEREFORE, the State's Attorney of Cook County respectfully objects to consideration of Cingular's Response by the Commission in ruling on the SAO's Motion for Issuance of Subpoenas Duces Tecum in this proceeding.

Respectfully submitted,

RICHARD A. DEVINE
State's Attorney of Cook County

Dated: March 15, 2001

By: _____



David L. Heaton
Assistant State's Attorney
Environment & Energy Division

MARIE SPICUZZA
Deputy Supervisor
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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

VERIFICATION

NOW COMES DAVID L. HEATON, who, after first being sworn,
deposes and says:

1. That he is an Assistant State's Attorney in Cook County
assigned to represent the Cook County State's Attorney's Office in connection with
dockets 01-0066, 01-0065, and 98-0847.

2. That he has read the attached Objection to the Response of
Southwestern Bell Mobile Systems, Inc. D/B/A Cingular Wireless, to the Cook County
State's Attorney's Motion for Issuance of Subpoena Duces Tecum and that the facts
alleged therein are true and correct to the best of his knowledge, information, and belief.



David L. Heaton
DAVID L. HEATON

SUBSCRIBED and SWORN to
Before me this 15th day of
March, 2001

Elaine Bielik

Notary Public

**STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION**


Cook County State's Attorney's)	
)	
)	Docket No. 01-0066
Motion for Stay of Commencement of Customer)	
Education and Order Requiring Neustar to)	
Demonstrate that the 847 NPA is, in Fact, Exhausted)	

NOTICE OF FILING

TO: Attached Service List.


PLEASE TAKE NOTICE that on this date, March 15, 2001, we have filed with the Chief Clerk of the Illinois Commerce Commission the enclosed Objection to the Response of Southwestern Bell Mobile Systems, Inc. D/B/A Cingular Wireless, to the Cook County State's Attorney's Motion for Issuance of Subpoena Duces Tecum in the above-referenced docket.

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By: 
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CERTIFICATE OF SERVICE

I, DAVID L. HEATON, hereby certify that a copy of the enclosed of the enclosed Objection to the Response of Southwestern Bell Mobile Systems, Inc. D/B/A Cingular Wireless, to the Cook County State's Attorney's Motion for Issuance of Subpoena Duces Tecum in the above-referenced docket was served on all parties, on the attached list on the 15th day of March 2001, by hand delivery, Federal Express, or U. S. first class mail prepaid.


David L. Heaton
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